

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

ORIGINAL
FILE

RECEIVED

JUN - 1 1992

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of Parts 2, 21,)
and 94 of the Commission's)
Rules to Accommodate Private)
Microwave Systems in the)
1.71-1.85 GHz Band and in)
Bands Above 3 GHz)

RM-7981

COMMENTS OF SOUTHWESTERN BELL CORPORATION

Southwestern Bell Corporation ("SBC"), on behalf of its operating subsidiaries and affiliates, submits these comments in general support of the *Petition for Rule Making* filed by the Utilities Telecommunications Council ("UTC") on March 31, 1992 in the above matter.¹

I. Introduction.

UTC seeks amendment of the Commission's rules (Parts 2, 21, and 94) to provide for use of frequencies in the 1.71-1.85, 3.7-4.2, 5.925-6.425, and 10.7-11.7 GHz bands by private microwave systems licensed under Part 94 of the Commission's rules. Such an amendment is necessary in order to accommodate such systems should they be required to relocate their facilities as a result of proposed actions in ET Docket No. 92-9.² UTC further requests that the

¹The Commission issued a *Public Notice* on UTC's petition releasing it for public comment on May 1, 1992. SBC's comments are being filed in response to that *Notice*.

²See *Notice of Proposed Rulemaking*, ET Docket No. 92-9, FCC 92-20, released February 7, 1992. In that Docket, the Commission proposes to allocate 220 MHz of spectrum within

No. of Copies rec'd 045
List A B C D E

Commission defer action in Et Docket No. 92-9, wherein the Commission seeks to establish a "spectrum reserve" for emerging technologies, pending the outcome of UTC's proposed, separate rulemaking here.

SBC supports both UTC requests. However, the UTC requests and the related rulemaking should be expanded to include the same relief for common carrier licensees who also could be potentially displaced by the proposed actions in ET Docket No. 92-9. Thus, included in the rulemaking should be amendments to Parts 22, 63, and 90 of the Commission's rules and any other amendments needed to permit common carriers to use the specific frequencies designated in UTC's petition.

II. Separate Proceeding.

SBC agrees that there is a need for a separate rulemaking specifically to address technical and coordination rules associated with potentially displaced existing 2 GHz facility licensees. It is imperative that such rules be in place prior to any spectrum relocation of existing users. Currently, the proposals in ET Docket No. 92-9 do not set forth, propose or specifically discuss those requirements, and it is clear from UTC's petition that they must be addressed.

the 2 GHz band as a reserve band for emerging technologies and to relocate or displace existing users of that spectrum.

III. Timing.

SBC further agrees that action in ET Docket No. 92-9 should be deferred pending action in this rulemaking or should run parallel to that action. SBC anticipates the need to examine in more detail the technical feasibility of relocating 2 GHz licensees to frequencies above 3 GHz or to government frequencies below 2 GHz (e.g., the 1710-1850 MHz government band). If relocation is or will be required, the Commission must have a greater knowledge of whether all, or potentially all, existing 2 GHz users can in fact be relocated to the alternative frequencies, and it must have specific rules in place that will specifically accommodate such relocation. If existing users cannot be accommodated, the Commission may want to revise or scale down its proposed ET Docket No. 92-9 reallocation decision.³ The record in ET Docket No. 92-9 simply does not contain sufficient information on this point or on a number of other technical and coordination steps and requirements that need examination.

IV. Conclusion.

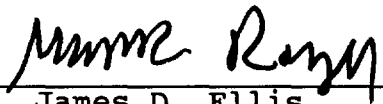
For each of the above reasons, SBC supports UTC's petition so long as the proposed rulemaking is expanded to

³Existing users should in many instances have priority since their use is proven, whereas many of the proposed uses are merely speculative.

include the same relief and examination of issues for common carrier as well as private radio licensees.

Respectfully submitted

SOUTHWESTERN BELL CORPORATION

By: 
James D. Ellis
William J. Free
Mark P. Royer
One Bell Center, Rm. 3524
St. Louis, MO 63101-3099
(314) 331-2992

ATTORNEYS FOR
SOUTHWESTERN BELL CORPORATION

June 1, 1992

CERTIFICATE OF SERVICE

I, Mark P. Royer, hereby certify that copies of the foregoing Comments of Southwestern Bell Corporation have been served by first class United States mail, postage prepaid, on the parties listed on the attached.



Mark P. Royer

June 1, 1992

James R. Haynes, Chief Engineer
Uniden America Corporation
Engineering Services Department
9900 Westpoint Dr., Ste. 134
Indiianapolis, IN 42656

Chandos A. Rypinski
LACE, Incorporated
921 Transport Way
Petaluma, CA 94954

Daniel L. Bart
1850 M Street, NW
Suite 1200
Washington, DC 20036

Stuart Dolgin
Local Area Telecommunications
17 Battery Place, Suite 1200
New York, NY 10004-1256

Werner K. Hartenberger
Laura H. Phillips
Down, Lohnes & Albertson
1255 Twenty-Third Street, NW
Suite 500
Washington, DC 20037

John D. Lane
Wilkes, Artis, Hedrick & Lane
1666 K Street, NW
Suite 1100
Washington, DC 20006-2866

Leonard Robert Raish
Fletcher, Heald & Hildreth
1225 Connecticut Avenue, NW
Suite 400
Washington, DC 20036-2679

Mark R. Hamilton
McCaw Cellular Communications,
Inc.
5400 Carilon Point
Kirkland, WA 98033

Stephan P. Carrier
Hughes Network Systems, Inc.
11717 Exploration Lane
Germantown, MD 20874

John C. Carrington
Mercury Personal Communications
Network, Ltd.
1 Harbour Exchange Square
London E14 9GE, UK

David A. LaFuria
Lukas, McGowan, Nace &
Gutierrez
1819 H Street, NW
Seventh Floor
Washington, DC 20006

Marilyn M. Moore
Michigan Public Service
Commission
6545 Mercantile Way
P.O. BOX 30221
Lansing, MI 48909

John E. Hoover
Jones Day, Reavis & Pogue
1450 G Street, NW
Washington, DC 20005-2088

Tak Immamura
Mitsubishi Electric Corporation
1-1, Tsukaguchi - Honmachi
8-Chome
Amagasaki City, Hyogo 661, Japan

Leonard S. Kolsky
Motorola Inc.
1350 I Street, NW
Suite 400
Washington, DC 20005

David E. Weisman
Meyer, Faller, Weisman &
Rosenberg
4400 Jenifer Street, NW
Suite 380
Washington, DC 20015

David F. Evans
MCI Telecommunications
Corporation
1801 Pennsylvania Ave., N.W.
Washington, DC 20006

William H. Talmage
NCR Corporation
1700 S. Patterson Blvd.
Dayton, OH 45479

Dr. Robert L. Riemer
Committee on Radio Frequencies
National Research Council
2101 Constitution Ave.
Washington, DC 20418

Penny Rubin
New York State Department of
Public Service
Three Empire State Plaza
Albany, NY 12223

James G. Ennis
Fletcher, Heald & Hildreth
1225 Connecticut Ave., NW
Suite 400
Washington, DC 20036

Albert Halprin
Verner, Lipfert, Bernhard,
McPherson and Hand
901 15th Street, NW
Washington, DC 20005

Charles T. Force
National Aeronautics and Space
Administration
Washington, DC 20546

Roland Williams
NovAtel Communications, Ltd.
1020 - 64 Avenue, NE
Calgary, Alberta, Canada
T2E 7V8

Michael C. Rau
National Association of
Broadcasters
1771 N Street, NW
Washington, DC 20036

Dennis L. Hill
Northwest Iowa Power Cooperative
P.O. BOX 240
Le Mars, Iowa 51031

Joseph P. Markoski
Squire, Sanders & Dempsey
1201 Pennsylvania Avenue, NW
P.O. BOX 407
Washington, DC 20044

Raymond A. Kowalski
Blooston, Mordkofsky, Jackson &
Dickens
2120 L Street, NW
Washington, DC 20037

David Cosson
National Telephone Cooperative
Association
2626 Pennsylvania Ave., NW
Washington, DC 20037

David C. Jatlow
Young & Jatlow
2300 N Street, NW
Suite 600
Washington, DC 20037

David A. Hendon
Department of Trade and
Industry
Kingsgate House
66-74 Victoria Street
London SW1E 6SW England

Scott J. Loftesness
Fidelity Investments
82 Devonshire Street
Boston, MA 02019

Leonard Robert Raish
Fletcher, Heald & Hildreth
1225 Connecticut Avenue, NW
Washington, DC 20036-2679

Lawrence R. Krevor
Jones, Day, Reaves & Pogue
1450 G Street, NW
Washington, DC 20005

Jack T. Taylor
Digital Spread Spectrum
Technologies, Inc.
110 South Wolfe Road
Sunnyvale, CA 94086

William L. Fishman
Sullivan & Worcester
1025 Connecticut Avenue, NW
Washington, DC 20036

James A. Dwyer, Jr.
2100 Electronics Lane
Fort Myers, FL 33912

Andrew D. Lipman
Swidler & Berlin
3000 K Street, NW
Washington, DC 20007

Veronica M. Ahern
Nixon, Hargrave, Devans & Doyle
One Thomas Circle, Ste. 800
Washington, DC 20005

Gail L. Polivy
GTE Service Corporation
1850 M Street, N.W., Ste. 1200
Washington, DC 20036

Lisa M. Zaina
OPASTCO
2000 K Street
Suite 205
Washington, DC 20005

Peter Tannenwald
Arent, Fox, Kintner, Plotkin & Kahn
1050 Connecticut Ave., NW
Washington, DC 20036-5539

Nancy J. Thompson
Reed, Smith Shaw & McClay
1200 18th Street, NW
Washington, DC 20036

Paul R. Zielinski
Rochester Telephone Corp.
180 South Clinton Avenue
Rochester, NY 14646-0700

G. Todd Hardy
PCN America, Inc.
153 East 53rd Street
New York, NY 10022

John W. Hunter
McNair Law Firm, P.A.
1155 Fifteenth Street, NW
Washington, DC 20005

PCN Associates
1344 Madonna Road
Suite 207
San Luis Obispo, CA 93405

James T. Carter
Rockwell International Corp.
P.O. BOX 568842
Dallas, TX 75356-8842

Patrick S. Berdge
California Public Utilities
Commission
505 Van Ness Avenue
San Francisco, CA 94102

David A. LaFuria
Lukas, McGowan, Nace & Gutierrez
1819 H Street, NW
Seventh Floor
Washington, DC 20006

Howard C. Davenport
Public Service Commission of
the District of Columbia
450 Fifth Street, NW
Washington, DC 20001

John W. Hunter
McNair Law Firm, P.A.
1155 Fifteenth Street, NW
Suite 400
Washington, DC 20005

Hollis G. Duensing
Association of American
Railroads
50 F Street, NW
Washington, DC 20001

Thomas J. Casey
Skadden, Arps, Slate, Meagher
and Flom
1440 New York Avenue, NW
Washington, DC 20005

Lawrence W. Katz
The Bell Atlantic Companies
1710 H Street, NW
Washington, DC 20006

Karl Berolzheimer
Centel Corporation
8725 Higgins Road
Chicago, IL 60631

Michael S. Slomin
Bell Communications Research, Inc.
290 W. Mt. Pleasant Avenue
Livingston, NJ 07039

Robert W. Maher
Cellular Telecommunications
Industry Association
1123 21st Street, NW
Suite 300
Washington, DC 20036

Paul R. Rodriguez
Leventhal, Senter & Lerman
2000 K Street, NW
Suite 600
Washington, DC 20006-1809

James E. Taylor
Frost & Jacobs
2500 Central Trust Center
201 East Fifth Street
Cincinnati, OH 45202

Lynn Diebold
California Public Safety Radio
Association, Inc.
4016 Rosewood Avenue
Los Angeles, CA 90004

Matt Edwards
Advanced Cordless Technologies
Box 2576
Montauk, NY 11954

Kenneth J. Brown
Capital Cities/ABC, Inc.
77 West 66th Street
New York. NY 10023

Linda T. Muir
Contel Corporation
245 Perimeter Center Pkwy.
Atlanta, GA 30346

F.G. Harrison
Cellnet
Hanover House
49-60 Borough Road
London SE1 1DS
England

Ted V. Lennick
Cooperative Power
14615 Lone Creek Road
Eden Prairie, MN 55344-2287

William B. Barfield
R. Frost Branon, Jr.
BellSouth Corporation
1155 Peachtree Street, N.E.
Suite 1800
Atlanta, GA 30367-6000

R. Michael Senkowski
Wiley, Rein & Fielding
1776 K Street, NW
Washington, DC 20006

Wayne V. Black
Keller and Heckman
1150 17th Street, NW
Suite 1000
Washington, DC 20036

Dr. Michael Trahos
4600 King Street
Suite 4E
Alexandria, VA 22302

Pete Wanzenried
State of California
Telecommunications Division
601 Sequoia Pacific Blvd.
Sacramento, CA 95814-0282

Randall S. Coleman
U S West, Inc.
1020 19th Street, NW
Suite 700
Washington, DC 20036

Paul Traft
Taft Broadcasting Company
4808 San Felipe Road
Houston, TX 77056

K.A. Wood
UK Association of the EEA
Leicester House
8 Leicester Street
London WC2H 7BN, UK

Wm. D. Balthrope
Texas Wired Music, Inc.
P.O. BOX 8278
San Antonio, TX 78208

Mohamed Lyzzaik
United Power
P.O. BOX 929
Brighton, CO 80601

Thomas K. Crowe
Hopkins & Sutter
888 Sixteenth Street, NW
Washington, DC 20006

Gene H. Kuhn
Union Pacific Railroad Co.
Missouri Pacific Railroad Co.
1416 Dodge St.
Omaha, NE 68179

Alan Y. Naftalin
Koteen & Naftalin
1150 Connecticut Ave., NW
Washington, DC 20036

William J. Cole
Telecommunications Industry
Association
2001 Pennsylvania Ave., NW
Suite 800
Washington, DC 20006-1813

Eric J. Schimmel
Telecommunications Industry
Association
2001 Pennsylvania Avenue, NW
Suite 800
Washington, DC 20006-1813

Christopher D. Imlay
Booth, Freret & Imlay
1920 N Street, NW
Suite 150
Washington, DC 20036

Marci E. Greenstein
Lukas, McGowan, Nace & Gutierrez
1819 H Street, NW
7th Floor
Washington, DC 20006

Russell H. Fox
American SMR Network Association
1835 K Street, NW
Suite 203
Washington, DC 20006

Bruce D. Jacobs
Fisher, Wayland, Cooper & Leader
1255 23rd Street, NW
Suite 800
Washington, DC 20037

Francine J. Berry
American Telephone & Telegraph Co.
295 North Maple Avenue
Basking Ridge, NJ 07920

Glenn S. Richards
Gruman, Kurtis, Blask &
Freedman, Chartered
1400 Sixteenth Street, NW
Suite 500
Washington, DC 20036

JoAnne G. Bloom
Ameritech
30 South Wacker Drive
Suite 3900
Chicago, IL 60606

Jonathan D. Blake
Covington & Burling
P.O. BOX 7566
1201 Pennsylvania Avenue , NW
Washington, DC 20044

James F. Lovette
Apple Computer, Inc.
20525 Mariani Avenue, MS46A
Cupertino, CA 95014

Wayne V. Black
Keller and Heckman
1150 17th Street, NW
Suite 1000
Washington, DC 20036

Richard Rubin
Associated PCN Company
Fleischman & Walsh, P.C.
1400 Sixteenth St., N.W., Ste 600
Washington, DC 20036

Margaret deB. Brown
Pacific Telesis Group
130 Kearny Street
Room 3659
San Francisco, CA 94108

Stanley J. Moore
Pacific Telesis Group
1275 Pennsylvania Ave., NW
4th Floor
Washington, DC 20004

Robert M. Jackson
Blooston, Mordkofsky, Jackson &
Dickens
2120 L Street, NW, Suite 300
Washington, DC 20037

James E. McNulty
Rose Communications
2390 Walsh Ave.
Santa Clara, CA 95051

C.J. Cant
Ferranti Creditphone Ltd.
9 High Street
Fareham
Hampshire PO167AN England

Charles M. Meehan
Utilities Telecommunications
Council
1620 Eye Street, NW
Suite 515
Washington, DC 20006

Paul J. Sinderbrand
Keck, Mahin & Cate
1201 New Yourk Avenue, NW
Penthouse
Washington, DC 20005-3919

Daniel J. Miglio
Southern New England
Telecommunications Corp.
227 Church Street
New Haven, CT 06510

Richard McKenna
GTE Service Corporation
P.O. Box 152092
Irving, TX 75015

Laura C. Mow
Gardner, Carton & Douglas
Suite 750
1001 Pennsylvania Ave., NW
Washington, DC 20004

James R. Haynes
Uniden America Corporation
4700 Amon Carter Blvd.
Fort Worth, TX 76155

Linda Kent
United States Telephone
Association
900 19th Street, NW
Suite 800
Washington, DC 20006-2105

Michael P. Terry
Department of the Interior
Office of Information Resource
Management
1849 C Street, NW
#MS7355MIB
Washington, DC 20240

James R. Haynes, Chief Engineer
Uniden America Corporation
Engineering Services Department
9900 Westpoint Drive, Suite 134
Indiianapolis, IN 46256

Laura C. Mow
Gardner, Carton & Doublas
Suite 750
1001 Pennsylvania Ave., N.W.
Washington, DC 20004

James R. Haynes
Uniden America Corporation
4700 Amon Carter Blvd.
Fort Worth, TX 76155

Linda Kent
United States Telephone
Association
900 19th Street, N.W., Ste. 800
Washington, DC 20006-2105

Michael P. Terry
Department of the Interior
Office of Information Resource
Management
1849 C Street, N.W.
#MS7355MIB
Washington, DC 20240